

1350.7300 ESTABLISHED PLACE OF BUSINESS.

Subpart 1. **Proof required.** The commissioner shall not grant a dealer license until the applicant has furnished the commissioner with proof that the applicant has an established place of business, as required by Minnesota Statutes, section 327B.04, subdivision 4, and that the requirements in subparts 2 to 7 have been met.

Subp. 2. **Building or office space.** An applicant for a dealer license must have a permanent enclosed building, other than a residence, or a commercial office space for the principal place of business and for each subagency location.

A manufactured home, other than a residence, qualifies as an established place of business if it is set up in a permanent manner, it is connected to sewer, water, and electricity, it is skirted, it is owned by the applicant, and it is not being offered for or subject to sale while being used as an office. The owner of a licensed manufactured home park who resides in or adjacent to the park may use the residence as the established place of business required by this subpart, unless prohibited by local zoning ordinance.

Subp. 3. **Unimproved sales lots.** Unimproved lots and premises may be used for sale and display of manufactured homes if they are in proximity to a licensed dealer's principal place of business or subagency location so as to avoid confusion or uncertainty as to their relationship to the business. A photo or drawing must be submitted to the commissioner clearly indicating the relationship of the unimproved lot or premises to the business location.

Subp. 4. **Unimproved storage lots.** Unimproved lots and premises may be used for storage of manufactured homes. The licensed dealer shall notify the commissioner of the location of the unimproved lot or premises prior to storage of manufactured homes there.

Subp. 5. **Photograph.** The licensed dealer shall submit a current photograph which accurately depicts the principal place of business, each subagency location, and unimproved lots to be used for sales and display for which the applicant is requesting a license.

Subp. 6. **Deed, contract, or lease.** The licensed dealer shall submit a copy of a valid warranty deed, contract for deed, or lease for a term of not less than one year for the premises housing the principal place of business and each subagency.

Subp. 7. **Sole licensed occupant.** Only one licensee, as licensed dealer may own or lease and occupy an established place of business or commercial office space. Two or more licensees may occupy one established place of business if they are related by means of ownership or are one legal entity.

Statutory Authority: *MS s 327B.01 to 327B.12*

History: *17 SR 1279; 24 SR 1846*

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